

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

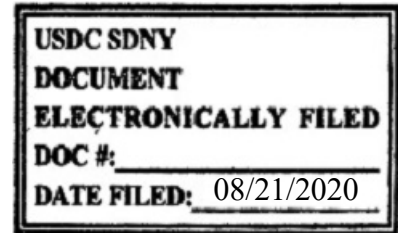
JENNIFER FUNG-SCHWARTZ, et al.,

Plaintiffs,

-against-

CERNER CORPORATION, et al.,

Defendants.



17-CV-0233 (VSB) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

Fact discovery in this action was scheduled to close on July 31, 2020; expert discovery closes on September 30, 2020. (Dkt. No. 89 at 9.) The parties have been mired in discovery disputes for months, necessitating a series of conferences with the Court on April 2, 2020 (*see* Dkt. No. 83), May 11, 2020 (Dkt. Nos. 91-92), May 27, 2020 (Dkt. Nos. 96-97), and June 2, 2020 (Dkt. Nos. 102-103), and resulting in a series of discovery orders. (Dkt. Nos. 89, 94, 98, 121.) Two further requests for judicial intervention in discovery are now pending before the Court: (1) defendants' letter-motion dated July 30, 2020, seeking a protective order, pursuant to Fed. R. Civ. P. 26(c)(4), limiting the scope of plaintiffs' Fed. R. Civ. P. 30(b)(6) deposition notices (Dkt. No. 117 at 1); and (2) plaintiffs' letter-motion dated August 13, 2020, requesting that the "Court order Defendants . . . to make billing data in its electronic billing system available to Plaintiffs in electronic form and to produce a 30(b)(6) witness in response to Plaintiffs' notice and . . . then adjust the schedule for expert discovery accordingly." (Dkt. No. 119 at 1.)

The Court will conduct a discovery conference to resolve all remaining fact discovery disputes – that is, the disputes outlined above – on **August 27, 2020 at 11:00 a.m.** The conference will be conducted remotely via videoconference, using Skype for Business. Chambers will email the link to counsel. An audio line will be available to nonparties, including members of the public and/or the press, by dialing **(917) 933-2166** and entering the code

**584323988.** Nonparties must observe the same decorum as would be expected at an in-person hearing, and must mute their telephone lines throughout the proceeding.

In advance of the conference, and no later than **August 25, 2020**, the parties shall submit a joint letter, no longer than four pages in the aggregate, stating (1) which of the discovery disputes remain pending; and (2) whether the parties have an alternative videoconferencing platform that they wish to use. Any alternative videoconferencing platform must include an audio line for members of the public and/or the press.

Dated: New York, New York  
August 21, 2020

**SO ORDERED.**



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**BARBARA MOSES**  
**United States Magistrate Judge**